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U.S. APPLICATION NUMBER NO. 10/593,439	FIRST NAMED APPLICANT James A. Bradburne	ATTY. DOCKET NO. 0960-UTL-GY
INTERNATIONAL APPLICATION NO. PCT/US05/10212		
I.A. FILING DATE 03/25/2005		PRIORITY DATE 03/30/2004

44638
Intellectual Property Department
Amylin Pharmaceuticals, Inc.
9360 Towne Centre Drive
San Diego, CA 92121

CONFIRMATION NO. 7393
371 FORMALITIES LETTER



Date Mailed: 05/28/2008

NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- Priority Document
- Copy of the International Application filed on 09/18/2006
- English Translation of the IA filed on 09/28/2007
- Copy of the International Search Report filed on 09/18/2006
- Copy of IPE Report filed on 09/28/2007
- Preliminary Amendments filed on 09/28/2007
- Information Disclosure Statements filed on 01/22/2007
- Biochemical Sequence Diskette filed on 09/28/2007
- Oath or Declaration filed on 09/28/2007
- Biochemical Sequence Listing filed on 09/18/2006
- Request for Immediate Examination filed on 09/18/2006
- U.S. Basic National Fees filed on 09/18/2006
- Assignment filed on 12/29/2006
- Priority Documents filed on 09/28/2007
- Specification filed on 09/18/2006
- Claims filed on 09/18/2006
- Abstracts filed on 09/18/2006
- Paper nucleotide sequence listings filed on 09/18/2006

Applicant's response filed 09/28/2007 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 05/14/2007 have not been completed.

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of \$2670 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Processing fee of \$130 for providing the translation of the application and/or the Annexes later than 30 months from the priority date (37 CFR 1.492(i)).

- Surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 was not received.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$3190** for a Large Entity:

- **\$130** Surcharge.
- **\$130** for English translation surcharge required.
- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 CFR 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Refer to attachment or PAIR document dated See Error Report dated 9/27/06.

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).

Additionally the following defects have been observed:

- Preliminary Amendments have not been entered because (Not Entered)Originally filed 48 claims APE cancels 1-49.
- The specification and drawings contain more than 100 pages. Applicant owes **\$260** for **19** pages in excess of **100** pages for a non-small entity.

Total additional claim fee(s) for this application is **\$2670**

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- **For Rules Interpretation, call (571) 272-0951**
- **For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.**
- **Send e-mail correspondence for Patentin Software Program Help @ ebc@uspto.gov**

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

PATRICIA A BOOKER

Telephone: (703) 308-9140 EXT 204

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